

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GENERAL MAJORITY PAC,  
Plaintiff

v.

CIVIL NO. 1:14-CV-332

CAROL AICHELE, in her official  
capacity as Pennsylvania Secretary of  
State; KATHLEEN KANE, in her official  
capacity as Pennsylvania Attorney  
General; JONATHAN M. MARKS, in his  
official capacity as Commissioner of  
Pennsylvania's Bureau of Commissions,  
Elections and Legislation; IAN  
HARLOW, in his official capacity as  
Deputy Commissioner of  
Pennsylvania's Bureau of Commissions,  
Elections and Legislation; and TRISHA  
MALEHORN, in her official capacity as  
Chief of the Division of Campaign  
Finance and Lobbying Disclosure of  
Pennsylvania's Bureau of Commissions,  
Elections and Legislation;  
Defendants

*O R D E R*

For the reasons discussed in the accompanying memorandum, we find that Plaintiff General Majority PAC has demonstrated that a permanent injunction is appropriate and necessary. Specifically, Plaintiff has shown that: (1) it is entitled to judgment as a matter of law on its claim that 25 P.S. § 3253(a) violates the First Amendment by prohibiting corporations and unincorporated associations from contributing to organizations that make only independent expenditures; (2) it would suffer irreparable injury if permanent injunctive relief is not issued; (3) granting the requested injunction will not cause greater harm to Defendants, who have no interest

in enforcing an unconstitutional law; and (4) granting the injunction is in the public interest.

Accordingly, this 13<sup>th</sup> day of August, 2014, it is hereby ORDERED that:

1) Plaintiff's Motion for Judgment on the Pleadings (Doc. 18) is GRANTED.

2) 25 P.S. § 3253(a)'s prohibition against political committees accepting or receiving contributions from corporations or unincorporated associations, and against corporations and unincorporated associations making such contributions, is DECLARED UNCONSTITUTIONAL as applied to political committees that do not make contributions to, or coordinated expenditures on behalf of, candidates or political party committees.

3) Defendants, their respective agents, officers, employees, successors, and all persons acting in concert with each or any of them, are PERMANENTLY ENJOINED AND RESTRAINED from implementing, enforcing, or giving any effect to 25 P.S. § 3253(a)'s unconstitutional contribution prohibition as discussed above, as well as any applicable rules and regulations regarding that unconstitutional prohibition.

4) For purposes of this order, the term "contribution" shall have the meaning provided by 25 P.S. § 3241(b).

5) JUDGMENT is hereby entered in favor of Plaintiff and against Defendants.

6) The Clerk of Court is directed to CLOSE this file.

/s/ William W. Caldwell  
William W. Caldwell  
United States District Judge